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UNITED STATES' FOREIGN INTELLIGENCE

OPERATIONAL GUIDELINES

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## A LETTER FROM THE DIRECTOR

In the quest for foreign intelligence, operational situations arise which fall into the grey area between what is clearly right and what is clearly wrong. In most cases these dilemmas have been foreseen and adequate guidelines for resolving them have been provided in law or Agency regulation. However, sometimes the individual intelligence officer, alone in the field and under extreme pressures of time and security, must resolve issues which have not been foreseen. In these instances he must rely on his ability to properly balance the pragmatic concerns of his situation against the democratic ideals of the United States. He must ensure that operational opportunities are seized aggressively, but at the same time, that each action is carefully weighed against its potential for undermining the very ideals he is sworn to defend. Resolving these conflicts can be the most demanding intellectual challenge facing an operational officer.

Fundamentally, at the point where laws and regulations can no longer guide us, we each must rely on our own concept of ethics or morality as a cornerstone in gauging our actions. But, beyond that, we belong to the intelligence profession. All professions have their own ethical standards which, although sometimes unwritten, nonetheless do exist and are understood by the members of that profession. Is there then value in setting these standards down in written form? I think there is, for at least three reasons:

- \* Although we all share a common loyalty and a common goal, any discussion of what kinds of actions or behavior are or are not acceptable in achieving that goal will underscore a surprisingly wide range of disagreement. Our individual standards are not the same. Therefore, a common, written set of standards can reduce misunderstanding and give us the means of finding the right balance in conflict situations.

- \* The public usually demands a higher standard of those in government service than they demand of themselves or other private individuals. When professional standards are unwritten, we must rely more heavily on our own personal standards which may or may not meet public expectations. Unwritten standards are also easier to rationalize away in demanding situations, thus not helping us as much as they could.
- \* Finally, unwritten standards are usually learned over time through observation and experience. But, even some of our newest and youngest employees assume responsibilities where they are not under the direct supervision of their seniors and where their judgment and ability to live up to Agency standards may be severely tested. C. K. Chesterton wrote, "Morality like art, consists in drawing a line somewhere." While perhaps not providing a ready answer to every difficult situation, a written set of standards would ensure that all intelligence professionals, whatever their experience, would at least better understand those places in the profession where lines are drawn.

This brief pamphlet is meant to provide guidance for both the newcomer and the old-hand intelligence professional. Aggregated in one small, handy reference are the major laws and regulations governing intelligence operations as well as brief philosophical comments which, hopefully, will codify the values and ethical principles by which our profession is also governed.

Ultimately, the decisions are yours. Since the first days of our Republic, intelligence professionals have served it with honor, integrity, and uncommon sacrifice. I have every confidence that you will continue to act according to the dictates of your conscience and the guidelines and philosophy expressed here.

STANSFIELD TURNER

A Framework

National intelligence agencies serve the United States by collecting and interpreting foreign intelligence; by uncovering and developing means to counter inimical foreign intelligence activities; and by covertly influencing events abroad. Each of these activities contributes uniquely and importantly to national security.

Foreign Intelligence: The United States is preeminent militarily, economically, and politically. Yet, like all other nations, our national security depends in some measure on actions taken beyond our borders and beyond our control. As military might proliferates; as economic interdependence increases; and as political activism and independence become characteristic of both old and new nations, some are encouraged to pursue selfish or irresponsible national goals regardless of their international impact. When such actions are taken secretly, we must beware.

Reliable information not only alerts us to actions inimical to our interests and thus is the basis for sound decisions, but it can give us leverage in international affairs which is often preferable to military force or other expressions of power. Knowledge is also essential to the successful negotiation of agreements which may contribute to continued world peace. Without independent verification of the provisions of arms control agreements, for example, we might not be willing to entrust the nation's fate to such measures. Thus, overt and clandestine collection of information remains a vital national capability on which both we and our friends and allies depend.

Counterintelligence: The obverse of our collecting intelligence about others is countering the intelligence collection efforts of others against us. The United States is an open society. There is little that we think or do which is not quickly and widely known.

Yet, some of our strength comes from our military defenses and unique insights we may gain into the actions of others. This kind of information, to be useful, must be kept secret. We cannot afford to develop expensive weapons systems or intelligence collecting devices and then not protect them. Once their characteristics are known, most can be easily countered. Nor can we adequately protect our interests in negotiating treaties or agreements if our negotiating strategy is exposed in advance. Consequently, we must be able to uncover attempts to penetrate our secrets and be able to neutralize or frustrate them.

Covert Political Action: War has been said to be the failure of diplomacy. Actually, war is the failure of all peaceful means to resolve conflict. Those means include discussion, negotiation, compromise, pressure, etc.--all usually used openly. However, covert political influence also has its proper place in the spectrum of foreign policy tools. There are times when knowledge that the United States is attempting to exert influence over a situation would dilute or undercut the effect of that influence. For example, open negotiations with a terrorist group might be helped if we could also secretly infiltrate the terrorist organization, influencing it from within; or, when an institution is struggling to maintain democratic standards against external, totalitarian pressures, it might have a greater chance of success if financial support could be secretly provided. In both cases, when there is the chance that our approach might be discredited if made openly, our national interests might be best served by our being able to exert influence secretly ourselves or through intermediaries.

#### Dangers in Intelligence Activities:

Clandestine foreign intelligence gathering, counterintelligence, and covert action are not accomplished by an open and democratic society without risks. These kinds of secret actions could, if not carefully

controlled, harm important American values or objectives in at least three ways:

- \* First, the risk of violating individuals' rights. Although the U.S. Bill of Rights does not apply to non-U.S. persons, the U.S. Government has always asserted the concept of "human rights" in its dealings world-wide. The regular or systematic violation of those rights by U.S. intelligence activities would be inconsistent with that position and would belie the very values we proclaim. Moreover, there is always the risk of accidental involvement of U.S. persons at home or abroad when any of the three basic intelligence missions are undertaken.
- \* Second, the risk of setting an undesirable example. The power of the U.S. example is underestimated by many Americans. George Washington's contention that the force of our example is our most powerful instrument abroad may exaggerate the point, but the opposite view is even less tenable. As an open society, the U.S. is vulnerable to international lawlessness. Weak as it is, one of our strongest defenses against such action is in international legal and moral prohibitions.
- \* Third, the risk of undermining our own objectives. Foreign intelligence activities can contravene and even undermine foreign policy objectives if not adequately coordinated and controlled. Because U.S. foreign policy objectives are multifaceted and often a not entirely compatible amalgam, where an agency engaging in covert actions is given wide discretion, the likelihood of actions contrary to the prevailing thrust of American foreign policy increases.

Control Procedures:

The need for the clandestine collection of foreign intelligence and counterintelligence and for covert political action presents another

problem: how to establish checks which are adequate to protect U.S. interests, yet will not inhibit our carrying out necessary, sensitive tasks?

There are several complementary means for controlling intelligence activities:

Prohibitions: Some activities are so clearly inimical to our nation's values and standards as to warrant flat prohibition.

Injunctions: Beyond the relatively few clear-cut cases which warrant prohibition, suitable or permissible activities will vary with circumstances. Measures that should not be undertaken in peacetime, or against a democratic state, may be permissible during hostilities or against a totalitarian regime. Flexibility permits adjustment to circumstances and modification of rules and procedures as conditions change. This flexibility is analogous to the well-known democratic law enforcement mechanism for balancing the individual's constitutional rights to privacy against the government's need to acquire essential information. For example, telephone taps are not authorized except after a court has issued a warrant on the belief that an individual probably engaged in a criminal activity. The levels at which these injunctions will be levied and exceptions granted must vary with the severity of the risks involved. The adequacy of control must be balanced against the cumbersomeness of the control system.

General Guidelines: A written set of professional standards which serve as ethical benchmarks can increase the professional intelligence officer's self-assurance in assessing the difficult choices which confront him in a risky and often solitary profession. While prescribing specific limits to his activities, they can also inspire inventiveness and courage. At the same time, guidelines can give the public confidence that the intelligence function is being carried out legally and properly.

Oversight: Every control mechanism risks being abused. However, risk can be minimized by adequate checks into the operation of the control system. First, the intelligence process is to some degree visible to the public. In our democracy, public oversight is the ultimate instrument of control over governmental functions. But, in matters of intelligence, secrecy precludes adequate public oversight. A surrogate oversight process is therefore appropriate. Permanent Select Committees on Intelligence have been established in both Houses of Congress to conduct such oversight; and an Intelligence Oversight Board performs a similar function within the Executive. Both these bodies should encourage maximum openness to permit public oversight of the intelligence function whenever possible.

Statutes, Regulations, Guidelines

General Guidelines:

1. Espionage is an extraordinary remedy. There is a presumption against clandestine action and the burden of proof must be borne by those proposing it. Because of the danger of abuse and violation of important American values and interests, clandestine action should be undertaken only as an extraordinary remedy where the benefits have been clearly identified.

2. Actions should not be undertaken in secret that could not in principle be defended to the American public and meet the test of political viability. The U.S. Government is constructed on the presumption that, on balance and over time, a process that forces the President and the Government to seek and win the support of the American people to sustain a chosen course of action is preferable to any other process yet invented for selecting and sustaining public policy. The record is mixed, but this presumption has enjoyed greater success than any competitor.

Two implications of this principle are:

(a) that clandestine activity must be consistent with announced policies and objectives that have been established by the normal open processes of government; and

(b) that the President and the Director of Central Intelligence must be prepared to defend in public the broad categories of clandestine activity in which the U.S. engages, though not the specific actions themselves. This implication is contrary to past practice. According to this principle, if the U.S. plans, for instance, to provide clandestine support for democratic parties in countries where opposition parties are being funded by other nations, this general class of

actions should be defended in public debate--though the U.S. Government's action in funding any particular party should not have to meet the test of public debate since all the information needed for a full and open debate could not be made public.

3. "Information about the capabilities, intentions and activities of foreign powers, organizations, or persons and their agents is essential to informed decision-making in the areas of national defense and foreign relations. The measures employed to acquire such information should be responsive to legitimate governmental needs and must be conducted in a manner that preserves and respects established concepts of privacy and civil liberties. Limitations are intended to achieve the proper balance between protection of individual rights and acquisition of essential information." (E.O. 12036, Sec. 2 - 101 & 102)

Authorizations:

"In accordance with Executive Order 12036, all duties and responsibilities of the CIA shall be related to the intelligence functions set out below. As authorized by the National Security Act of 1947, as amended, the CIA Act of 1949, as amended, and other laws, regulations and directives, the CIA, under the direction of the NSC, shall:

Collect foreign intelligence, including information not otherwise obtainable, and develop, conduct, or provide support for technical and other programs which collect national foreign intelligence. The collection of information within the United States shall be coordinated with the FBI as required by procedures agreed upon by the Director of Central Intelligence and the Attorney General;

Produce and disseminate foreign intelligence relating to the national security, including foreign political, economic, scientific, technical, military, geographic and sociological intelligence to meet the needs of the President, the NSC, and other elements of the United States Government;

Collect, produce and disseminate intelligence on foreign aspects of narcotics production and trafficking;

Conduct counterintelligence activities outside the United States and coordinate counterintelligence activities conducted outside the United States by other agencies within the Intelligence Community;

Without assuming or performing any internal security functions, conduct counterintelligence activities within the United States, but only in coordination with the FBI and subject to the approval of the Attorney General;

Produce and disseminate counterintelligence studies and reports;

Coordinate the collection outside the United States of intelligence information not otherwise obtainable;

Conduct special activities approved by the President and carry out such activities consistent with applicable law;

Conduct services of common concern for the Intelligence Community as directed by the NSC;

Carry out or contract for research, development and procurement of technical systems and devices relating to authorized functions;

Protect the security of its installations, activities, information and personnel by appropriate means, including such investigations of applicants, employees, contractors, and other persons with similar associations with the CIA as are necessary;

Conduct such administrative and technical support activities within and outside the United States as are necessary to perform the functions described in sections 1-801 through 1-811 above, including procurement and essential cover and proprietary arrangements.

Provide legal and legislative services and other administrative support to the Office of the Director of Central Intelligence." (E.O. 12036, Sec. 1-8)

Prohibitions:

1. Assassination. "No person employed by or acting on behalf of the United States Government shall engage in, or conspire to engage in, assassination." (E.O. 12036, Sec. 2-305)

2. Creating Conditions Which Imperil Life. No person employed by or acting on behalf of the CIA shall conduct any activity which can reasonably be expected to cause an epidemic of disease, food or water shortages, or which could result in a natural disaster such as a flood.

3. Any Activity Carried Out Secretly or Indirectly Because It Would Not be Authorized by the President or the Congress. No person employed by or acting on behalf of the CIA shall engage in, support, or encourage secretly or indirectly any activity which would not be authorized by the President or the Congress.

Injunctions:

1. Conduct Which is the Equivalent of War. No person employed by or acting on behalf of the CIA shall engage in, support, or encourage the mass destruction of life or property (indiscriminate destruction of one or more lives or pieces of property as sometimes occurs in general fighting or bombing in wartime), except during any period of war declared by the Congress against another country or during any period when members of the armed forces of the United States were introduced into hostilities against another country under circumstances which required a reporting by the President to the Congress under the provisions of the War Powers Resolution (but the exemption from such subsection shall not continue after the last day such forces are authorized to be in such country as provided in the War Powers Resolution).

2. Support of International Crime. No person employed by or acting on behalf of the CIA shall engage in, support, or encourage international crime such as terrorism, drug trafficking or kidnapping; except that penetration of organizations carrying out international crime, through membership, for the purpose of anticipating and thwarting their activities, may be accomplished so long as no act of violence is committed by the penetrator.

3. Violation of Human Rights. No person employed by or acting on behalf of the CIA shall engage in, support, or encourage actions in violation of basic human rights such as involuntary detention or torture, except that enemy prisoners may be involuntarily detained during any period of war declared by the Congress against another country or during any period when members of the armed forces of the United States were introduced into hostilities against another country under circumstances which required a reporting by the President to the Congress under the provisions of the War Powers Resolution (but the exemption from such subsection shall not continue after the last day such forces are authorized to be in such country as provided in the Wars Powers Resolution).

4. Experimentation. "No agency of the Intelligence Community shall sponsor, contract for, or conduct research on human subjects except in accordance with guidelines issued by the Department of Health, Education and Welfare. The subject's informed consent shall be documented as required by those guidelines." (E.O. 12036, Sec. 2-302)

5. Assistance to Law Enforcement Authorities. "Agencies within the Intelligence Community other than the FBI shall not, except as expressly authorized by law:

(a) provide services, equipment, personnel or facilities to the Law Enforcement Assistance Administration (or its successor agencies), or to state or local police organizations of the United States; or

(b) participate in or fund any law enforcement activity within the United States.

The restrictions above shall not preclude:

(a) cooperation with appropriate law enforcement agencies for the purpose of protecting the personnel and facilities of any agency within the Intelligence Community;

(b) participation in law enforcement activities, in accordance with law, to investigate or prevent clandestine intelligence activities by foreign powers, international narcotics production and trafficking, or international terrorist activities; or

(c) provision of specialized equipment, technical knowledge, or assistance of expert personnel for use by any department or agency or, when lives are endangered, to support local law enforcement agencies. Provision of assistance by expert personnel shall be governed by procedures approved by the Attorney General." (E.O. 12036, Sec. 2-308 & 309)

6. Conduct of War Related Acts. No person employed by or acting on behalf of the CIA shall engage in, support, or encourage the staging of a political coup for the purpose of upsetting an established government or head of state; support shall not be given to guerrilla activities or mercenaries either through training or by other means; except during any period of war declared by the Congress against another country or during any period when members of the armed forces of the United States were introduced into hostilities against another country under circumstances which required a reporting by the President to the Congress under the provisions of the War Powers Resolution (but the exemption from such subsection shall not continue after the last day such forces are authorized to be in such country as provided in the Wars Powers Resolution), or when approved by the President of the United States and the Congress notified.

7. Violation of International Treaty. Neither the specific provisions nor the spirit of any treaty into which the United States has entered shall be violated by any person employed by or acting on behalf of the CIA; except during any period of war declared by the Congress against another country or during any period when members of the armed forces of the United States were introduced into hostilities against another country under circumstances which required a reporting by the President to the Congress under the provisions of the War Powers Resolution (but the exemption from such subsection shall not continue after the last day such forces are authorized to be in such country as provided in the Wars Powers Resolution), or when the President has given his approval and the Congress notified.

8. Violation of the Rights of U.S. Persons.

Certain Collection Techniques:

(a)"The activities described below shall be undertaken only as permitted by E.O. 12036 and by procedures established by the Director, CIA and approved by the Attorney General. Those procedures shall protect constitutional rights and privacy, ensure that information is gathered by the least intrusive means possible, and limit use of such information to lawful governmental purposes.

(b)"Activities described below for which a warrant would be required if undertaken for law enforcement rather than intelligence purposes shall not be undertaken against a United States person without a judicial warrant, unless the President has authorized the type of activity involved and the Attorney General has both approved the particular activity and determined that there is probable cause to believe that the United States person is an agent of a foreign power.

Electronic Surveillance." The CIA may not engage in any electronic surveillance within the United States. No agency within the Intelligence Community shall engage in any electronic surveillance directed against a United States person abroad or designed to intercept a communication sent from, or intended for receipt within, the United States except as permitted by the procedures established pursuant to the General Provisions. Training of personnel by agencies in the Intelligence Community in the use of electronic communications equipment, testing by such agencies of such equipment, and the use of measures to determine the existence and capability of electronic surveillance equipment being used unlawfully shall not be prohibited and shall also be governed by such procedures. Such activities shall be limited in scope and duration to those necessary to carry out the training, testing or countermeasures purpose. No information derived from communications intercepted in the course of such training, testing or use of countermeasures may be retained or used for any other purpose.

Television Cameras and Other Monitoring." No agency within the Intelligence Community shall use any electronic or mechanical device surreptitiously and continuously to monitor any person within the United States, or any United States person abroad, except as permitted by the procedures established pursuant to the General Provisions.

Physical Searches." No agency within the Intelligence Community except the FBI may conduct any unconsented physical searches within the United States. All such searches conducted by the FBI, as well as all such searches conducted by any agency within the Intelligence Community outside the United States and directed against United

States persons, shall be undertaken only as permitted by procedures established pursuant to the General Provisions.

Mail Surveillance. "No agency within the Intelligence Community shall open mail or examine envelopes in United States postal channels, except in accordance with applicable statutes and regulations. No agency within the Intelligence Community shall open mail of a United States person abroad except as permitted by procedures established pursuant to the General Provisions.

Physical Surveillance. "The FBI may conduct physical surveillance directed against United States persons or others only in the course of a lawful investigation. Other agencies within the Intelligence Community may not undertake any physical surveillance directed against a United States person unless:

(a)"The surveillance is conducted outside the United States and the person being surveilled is reasonably believed to be acting on behalf of a foreign power, engaging in international terrorist activities, or engaging in narcotics production or trafficking;

(b)"The surveillance is conducted solely for the purpose of identifying a person who is in contact with someone who is the subject of a foreign intelligence or counterintelligence investigation; or

(c)"That person is being surveilled for the purpose of protecting foreign intelligence and counterintelligence sources and methods from unauthorized disclosure or is the subject of a lawful counterintelligence, personnel, physical or communications security investigation.

(d)"No surveillance under paragraph (c) of this section may be conducted within the United States unless the person being surveilled is a present employee, intelligence agency contractor or employee of such a contractor, or is a military person employed by a non-intelligence element of a military service. Outside the United States such surveillance may also be conducted against a former employee, intelligence agency contractor or employee of a contractor or a civilian person employed by a non-intelligence element of an agency within the Intelligence Community. A person who is in contact with such a present or former employee or contractor may also be surveilled, but only to the extent necessary to identify that person." (E.O. 12036, Sec 2.2)

9. Undisclosed Participation in Domestic Organizations. No employees may join, or otherwise participate in, any organization within the United States on behalf of any agency within the Intelligence Community without disclosing their intelligence affiliation to appropriate officials of the organization, except as permitted by procedures established pursuant to the General Provisions of paragraph 8. Such procedures shall provide for disclosure of such affiliation in all cases unless the agency head or a designee approved by the Attorney General finds that non-disclosure is essential to achieving lawful purposes, and that finding is subject to review by the Attorney General. Those procedures shall further limit undisclosed participation to cases where:

(a) The participation is undertaken on behalf of the FBI in the course of a lawful investigation;

(b) The organization concerned is composed primarily of individuals who are not United States persons and is reasonably believed to be acting on behalf of a foreign power; or

(c) The participation is strictly limited in its nature, scope and duration to that necessary for other lawful purposes relating to foreign intelligence and is a type of participation approved by the Attorney General and set forth in a public document. No such participation may be undertaken for the purpose of influencing the activity of the organization or its members.

10. Collection of Nonpublicly Available Information. No agency within the Intelligence Community may collect, disseminate or store information concerning the activities of United States persons that is not available publicly, unless it does so with their consent or as permitted by procedures established pursuant to the General Provisions of paragraph 8. Those procedures shall limit collection, storage or dissemination to the following types of information:

(a) Information concerning corporations or other commercial organizations or activities that constitutes foreign intelligence or counterintelligence;

(b) Information arising out of a lawful counterintelligence or personnel, physical or communications security investigation;

(c) Information concerning present or former employees, present or former intelligence agency contractors or their present or former employees, or applicants for any such employment or contracting, which is needed to protect foreign intelligence or counterintelligence sources or methods from unauthorized disclosure;

(d) Information needed solely to identify individuals in contact with those persons described in paragraph (3) of this section or with someone who is the subject of a lawful foreign intelligence or counterintelligence investigation;

(e) Information concerning persons who are reasonably believed to be potential sources or contacts, but only for the purpose of determining the suitability or credibility of such persons;

(f) Information constituting foreign intelligence or counterintelligence gathered abroad or from electronic surveillance conducted in compliance with the General Provisions of paragraph 8 or from cooperating sources in the United States;

(g) Information about a person who is reasonably believed to be acting on behalf of a foreign power, engaging in international terrorist activities or narcotics production or trafficking, or endangering the safety of a person protected by the United States Secret Service or the Department of State;

(h) Information acquired by overhead reconnaissance not directed at specific United States persons;

(i) Information concerning United States persons abroad that is obtained in response to requests from the Department of State for support of its consular responsibilities relating to the welfare of those persons;

(j) Information collected, received, disseminated or stored by the FBI and necessary to fulfill its lawful investigative responsibilities; or

(k) Information concerning persons or activities that pose a clear threat to any facility or personnel of an agency within the Intelligence Community. Such information may be retained only by the agency threatened and, if appropriate, by the United States Secret Service and the FBI. (E.O. 12036, Sec. 2-208)

11. Tax Information. No agency within the Intelligence Community shall examine tax returns or tax information except as permitted by applicable law. (E.O. 12036, Sec. 2-301)

12. Contracting. No agency within the Intelligence Community shall enter into a contract or arrangement for the provision of goods or services with private companies or institutions in the United States unless the agency sponsorship is known to the appropriate officials of the company or institution. In the case of any company or institution other than an academic institution, intelligence agency sponsorship may be concealed where it is determined, pursuant to procedures approved by the Attorney General, that such concealment is necessary to maintain essential cover or proprietary arrangements for authorized intelligence purposes. (E.O. 12036, Sec. 2-303)

13. Restrictions on Personnel Assigned to Other Agencies. An employee detailed to another agency within the federal government shall be responsible to the host agency and shall not report to the parent agency on the affairs of the host agency unless so directed by the host agency. The head of the host agency, and any successor, shall be informed of the employee's relationship with the parent agency. (E.O. 12036, Sec. 2-304)

14. Overthrow of Democratic Governments. No person employed by or acting on behalf of the CIA shall carry out, support, or encourage activities designed to overthrow a democratic government; except as authorized by the President and when the Congress is notified.

15. Activities to Subvert Democratic Processes. No person employed by or acting on behalf of the CIA shall carry out, support, or encourage activities which influence election processes or the election of specific officials to democratic governments; except as approved by the President and when the Congress is notified.

16. Clandestine or Covert Activities Where Their Objective Could be Accomplished Overtly. No person employed by or acting on behalf of the CIA shall carry out in a clandestine or covert manner any activity which could be accomplished overtly; except where time, expense or risk could be materially reduced and where that reduction is considered essential to the result of the activity; and only with DCI approval.

17. Activities Which Contribute to the Weakening of a Society. No person employed by or acting on behalf of the CIA shall take action which could reasonably be expected to destroy the integrity of an institution, to undermine public confidence in institutions, to foment internal strife or conflict, to encourage fractionalization of a society, to sabotage the economic structure of a society, or other activities whose ultimate effect would be the weakening of a society; except during any period of war declared by the Congress against another country or during any period when members of the armed forces of the United States were introduced into hostilities against another country under circumstances which required a reporting by the President to the Congress under the provisions of the War Powers Resolution (but the exemption from such subsection shall not continue after the last day such forces are authorized to be in such country as provided in the War Powers Resolution), and where the President and Congress are notified.

18. Activities Which Inhibit the Resolution of Conflict. No agency of the Intelligence Community or representative of such agency shall take action which would encourage divisiveness, instill distrust of negotiations, lend material support to one side, or which in other ways would inhibit the resolution of a conflict; except during any period of war declared by the Congress against another country or during any period when members of the armed forces of the United States were introduced into hostilities against another country under circumstances which required a reporting by the President to the Congress under the provisions of the War Powers Resolution (but the exemption from such subsection shall not continue after the last day such forces are authorized to be in such country as provided in the Wars Powers Resolution), and when the President and the Congress are notified.

19. Use of United States Individuals or Groups Whose Integrity is a National Asset. No agency of the Intelligence Community or representative of such agency may engage any of the following classes of persons in any intelligence activity for or on behalf of the United States:

(a) any United States person following a full-time religious vocation;

(b) any United States person whose travel to a foreign country is sponsored and supported by the United States as part of a United States Government program designed to promote education or the arts, humanities, or cultural affairs;

(c) any full-time journalist accredited to any United State media organization;

except during any period of war declared by the Congress against another country or during any period when members of the armed forces of the United States were introduced into hostilities against another country under circumstances which required a reporting by the President to the Congress under the provisions of the War Powers Resolution (but the exemption from such subsection shall not continue after the last day such forces are authorized to be in such country as provided in the Wars Powers Resolution), and with with DCI approval.